

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

TRUSTEES FOR THE UPPER PENINSULA
PLUMBERS' AND PIPEFITTERS' HEALTH
& WELFARE FUND, et al.,

Plaintiffs,

v.

Case No. 2:05-cv-266
CONSENT CASE

STEPHEN FRAZER,

Defendant.

ORDER

In accordance with the Opinion issued herewith,

IT IS HEREBY ORDERED that defendant Stephen Frazier's motion for summary judgment (docket #30) is DENIED, plaintiff/counter-defendant trustees' motion for summary judgment requesting dismissal of the counter complaint (docket #35) is DENIED as to defendant's claim of fraud in the execution and GRANTED on all remaining claims, and third-party defendant union's motion for summary judgment (docket #36) is GRANTED, dismissing the third party complaint.

IT IS SO ORDERED.

/s/ Timothy P. Greeley

TIMOTHY P. GREELEY
UNITED STATES MAGISTRATE JUDGE

Dated: April 13, 2006